

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:08-CR-91-BR  
No. 5:11-CV-178-BR

TIMOTHY HUGH LINDSEY  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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ORDER

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

This 18 April 2011.



W. Earl Britt

Senior U.S. District Judge